

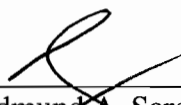
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| Servando Rocha-Zamano,           | : |                       |
|                                  | : |                       |
| Plaintiff,                       | : |                       |
|                                  | : |                       |
| v.                               | : | Case No. 2:07-cv-0400 |
|                                  | : |                       |
|                                  | : | JUDGE SARGUS          |
| Commissioner of Social Security, | : |                       |
|                                  | : |                       |
| Defendant.                       | : |                       |

ORDER

The plaintiff has filed a motion for an award of fees under the Equal Access to Justice Act, 28 U.S.C. §2412. The time has passed for the Commissioner to respond, and no response has been filed. The Commissioner has therefore not satisfied the burden of demonstrating that the litigation position taken by the Commissioner was substantially justified. The motion (#20) is therefore GRANTED and plaintiff is awarded the sum of \$3,267.40 as attorneys' fees, to be paid within thirty days.

Date: 8-15-2008

  
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Edmund A. Sargus, Jr.  
United States District Judge